



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/663,747 Confirmation No. : 2650
Applicant : Mamoru FUJIEDA, et al.
Filed : September 17, 2003
TC/A.U. : 3747
Examiner : J H HOANG
Docket No. : 056207.49682D1
Customer No. : 23911
Title : Direct Injection Type Internal Combustion Engine

REPLY TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following is responsive to the Office Action mailed on or about May 28, 2004.

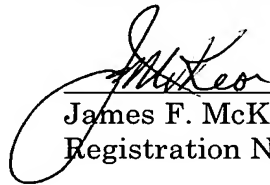
Applicants herewith provisionally elect Claims 11-14 for further prosecution with traverse. Reconsideration of the restriction requirement is respectfully requested on grounds that the Office Action does not set forth a *prima facie* case of independence and/or distinctness sufficient to satisfy both 35 U.S.C. § 121 and MPEP §§ 806.04 and 808.1. The statements that the different inventions can be used in a materially different processing or are individually separated and distinct from one another are merely conclusions and not factually supported. Indeed, the classification of all five groups in Claims 1, 2, and 3 suggests that the restriction is inappropriate.

Accordingly, an early action on the merits of all the claims is earnestly solicited.

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 056207.49682D1).

Respectfully submitted,



James F. McKeown
Registration No. 25,406

August 30, 2004

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JFM:rde